



FIFE SYMINGTON
Governor

LARRY S. BONINE
Director

ARIZONA DEPARTMENT OF TRANSPORTATION

INTERMODAL TRANSPORTATION DIVISION
JOINT PROJECT ADMINISTRATION
205 South 17th Avenue - Room 293E, Mail Drop 616E
Phoenix, Arizona 85007



THOMAS G. SCHMITT
State Engineer

E. JACK HAMMITT
Joint Project
Administrator

10 June 1997

Mr. Ken Travous, Executive Director
Arizona State Parks Board
1300 West Washington Street
Phoenix, AZ 85007

Re: Kartchner Caverns State Park Phase II
Agreement: JPA 95-81
TRACS No. H4120 01D
Amendment No. 1

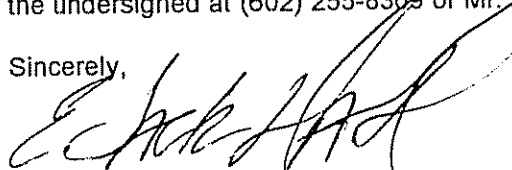
Dear Director Travous:

The State Program Manager for the above referenced agreement has approved a project budget increase for an additional \$50,000.00 which exceeds the amount in the agreement. To contractually address the additional funds, we may use this instrument as amendment no. 1.

Therefore, so much of paragraphs I.3, II.1.b and II.2.b are changed from \$200,000.00 to read \$250,000.00. Additionally, paragraphs II.1.b is changed from "invoice ADOT in one lump sum" to read "invoice ADOT no more often than monthly". All other terms and conditions of the agreement remain the same.

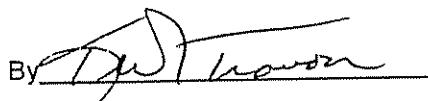
To properly memorialize this amendment, and to insure a meeting of the minds, please indicate your concurrence of this amendment in the space provided below and return one original of this instrument to the undersigned at the above address to the attention of Mail Drop 616E. Questions may be directed to the undersigned at (602) 255-8369 or Mr. Mellgren at 255-8629.

Sincerely,


E. Jack Hammitt, CPM
Joint Project Administrator

Concur for Arizona State Parks:

By



Date

7/15/97
(date)

A. G. Contract No. KR95 0919TRN
ADOT ECS File: JPA 95-81
Project: H4120 01C
Section: Kartchner Caverns State
Park Phase II

INTERAGENCY AGREEMENT
BETWEEN
THE ARIZONA DEPARTMENT OF TRANSPORTATION
AND
THE ARIZONA STATE PARKS BOARD

THIS AGREEMENT is entered into 30 AUGUST, 1995,
between the agencies of the STATE OF ARIZONA, to wit; the
DEPARTMENT OF TRANSPORTATION (the "ADOT") and the ARIZONA STATE
PARKS BOARD, acting by and through its Executive Director (the
"Parks Board").

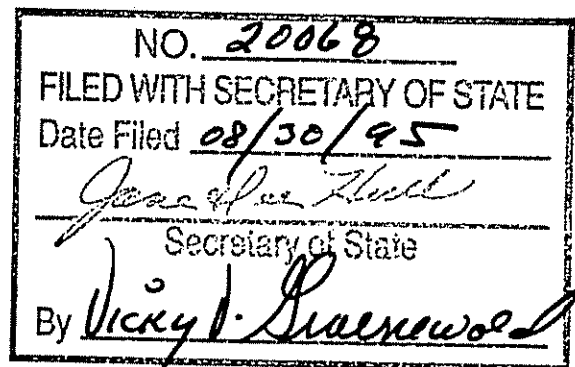
I. RECITALS

1. The ADOT is empowered by Arizona Revised Statutes
Section 28-108 to enter into this agreement and has by
resolution, a copy of which is attached hereto and made a part
hereof, resolved to enter into this agreement and has delegated
to the undersigned the authority to execute this agreement on
behalf of the ADOT.

2. The Parks Board is empowered by Arizona Revised
Statutes Section 41-511.05 to enter into this agreement and has
by resolution, a copy of which is attached hereto and made a
part hereof, resolved to enter into this agreement and has
authorized the undersigned to execute this agreement on behalf
of the Parks Board.

3. The ADOT and the Parks Board desire to design and
construct improvements to Kartchner Caverns State Park for a
bridge and interior roads. To expedite the project, the Parks
Board has agreed to provide design services for bridge and
roadway improvements, at ADOT expense, at a cost not to exceed
\$200,000.00, hereinafter referred to as the Project.

THEREFORE, in consideration of the mutual agreements expressed
herein, it is agreed as follows:



II. SCOPE OF WORK

1. The Parks Board will:

a. By modification to an existing Parks Board engineering consultant design contract, provide to State standards all necessary and typical design documents and services for the Project improvements contemplated. Provide design documents to ADOT at the 30%, 60%, 95% and 100% level of completion. Incorporate ADOT review comments.

b. Upon ADOT completion and acceptance of the bridge and interior roadway construction, invoice ADOT in one lump sum for the reasonable direct actual cost of the Project design, in a total amount not to exceed \$200,000.00.

c. Be responsible for any consultant claims for extra compensation attributable to the Parks Board.

2. The ADOT will:

a. Review the design documents and provide comments.

b. Within 30 days after receipt and approval of an invoice, reimburse the Parks Board for Project design services, in a total amount not to exceed \$200,000.00.

c. Be responsible for any consultant claims for extra compensation attributable to the ADOT.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project and reimbursements; provided, however, that this agreement may be cancelled at any time prior to the award of a Project design contract modification, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518.

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:

Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Mail Drop 616E
Phoenix, AZ 85007

Arizona State Parks Board
Capital Development Manager
1300 West Washington Street
Phoenix, AZ 85007

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

STATE OF ARIZONA

STATE PARKS BOARD

DEPARTMENT OF TRANSPORTATION


By Charles R. Eathaly
for KEN TRAVOUS
Executive Director

By Peter L. Eno
PETER L. ENO
Contract Administrator

RESOLUTION

BE IT RESOLVED on this 31st day of July 1995, that I, the undersigned LARRY S. BONINE, as Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with the Arizona State Parks Board for the purpose of defining responsibilities for the design, construction and maintenance of improvements to Kartchner Caverns State Park.

Therefore, authorization is hereby granted to draft said agreements which, upon completion, shall be submitted to the Contract Administrator for approval and execution.


for LARRY S. BONINE
Director

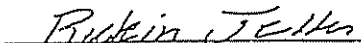
RESOLUTION NO. 134
By the Arizona State Parks Board
Authorizing the Execution of the Intergovernmental
Agreement with the
Arizona Department Transportation

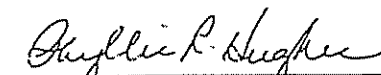
Under powers granted to the Arizona State Parks Board by ARS 41-511.05, BE IT RESOLVED on this 16th day of June 1995, that the ARIZONA STATE PARKS BOARD determines it is in the best interest of the State of Arizona to enter into an interagency Agreement with the ARIZONA DEPARTMENT OF TRANSPORTATION wherein the ARIZONA DEPARTMENT OF TRANSPORTATION will improve various areas within the listed State Parks, including, but not limited to, drainage easements, construction easements, road rights-of-way, and the acquisition of such lands in the name of the Parks Board where necessary to accomplish such improvements. The Board designates as public highways the roads, spurs, and other traffic related appurtenances within the listed parks for the purpose of constructing improvements under and this and subsequent Interagency Agreements.

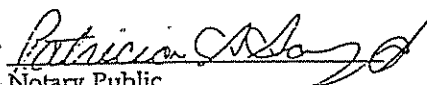
Therefore, authorization is hereby given to the Arizona State Parks Board's Executive Director, or his designee, to sign said Agreement which, upon completion, shall be submitted for approval and execution by the State Engineer.

The attached listing is the Arizona Department of Transportation/Arizona State Parks Board road improvement program. The projects listed are scheduled to be initiated within the fiscal year listed.

PASSED, ADOPTED, AND APPROVED by the Arizona State Parks Board this 16th day of June, 1995.


Rukin Jelks, Chairman


Phyllis R. Hughes, Assistant A.G.
(Approved as to form)

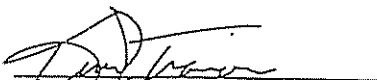

Notary Public
(Attest)

My Commission Expires Apr. 27, 1996

STATE OF ARIZONA

I, the undersigned, Kenneth E. Travous, being the duly appointed and qualified Executive Director of Arizona State Parks Board, certify that the foregoing copy of Resolution No. 134 passed and adopted at a regular meeting of the Arizona State Parks Board, held on the 16th day of June, 1995, at which a quorum was present and voted in favor of said Resolution.

Given under my hand and seal this 16th day of June, 1995.


Kenneth E. Travous
Executive Director



STATE OF ARIZONA

OFFICE OF THE ATTORNEY GENERAL

GRANT WOODS
ATTORNEY GENERAL

1275 WEST WASHINGTON, PHOENIX 85007-2926

MAIN PHONE : 542-5025
TELECOPIER : 542-4085

INTERGOVERNMENTAL AGREEMENT
DETERMINATION

A. G. Contract No. KR95-0919-TRN, an agreement between public agencies, has been reviewed pursuant to A.R.S. §11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 24th day of August, 1995.

GRANT WOODS
Attorney General

A handwritten signature in cursive script, reading "James R. Redpath".

JAMES R. REDPATH
Assistant Attorney General
Transportation Section

JRR:lsr
8918G/71